

## REMARKS

Claims 10-18 are pending in this application. Claims 10-18 were amended in this response. No new matter has been introduced as a result of the amendment. Favorable reconsideration is respectfully requested.

The claims were objected to for not being in accordance with 37 CFR §1.126. In light of the present amendments, former claims 13-21 are now submitted as claims 10-18. Withdrawal of the objection is earnestly requested.

Claims 13-21 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. In light of the present amendments, the terms "large", "standard manner" and "length of influence" have been amended or removed. With regard to the term "length of influence", support for this term may be found in the exemplary portion of the amended specification on page 5, lines 21-29, page 10, lines 20-28, and page 12, lines 15-26. For channel coding, it is advantageous under the present disclosure to use convolution codes, and to match the length of the first portion of the first information items, which is channel-coded at least approximately to the length of influence of the convolution code being used. Withdrawal of the rejection is earnestly requested.

Claims 13-21 were rejected under 35 U.S.C. §102(e) as being anticipated by *Bruhn* (US Patent 6,256,487). Applicant traverses this rejection. Favorable reconsideration is respectfully requested.

Specifically, the cited art, alone or in combination does not disclose a "channel-coding a first portion of the data bits and the at least one mode bit consistently and independently of the particular code mode" as recited in claim 10, and similarly recited in claim 17.

The configuration disclosed in *Bruhn* teaches mode indicators that reflect a transmitter's currently employed speech coding/channel coding combination (e.g., when channel conditions are good/bad, the transmitter may employ a speech coding/channel coding mode which provides for a high/low source coding bit rate and a relatively low degree of error protection). According to the coding, systems can rapidly change between these different coding modes based upon varying changes in channel conditions (col. 3, lines 22-33). The mode indicator of *Bruhn* may

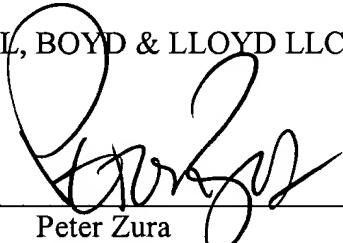
include just a few, e.g., two, bits which are conveyed along with the data fields, where the receiver must accurately decode the coding mode indicator since, otherwise, an entire frame of data may be unrecoverable (col. 3, lines 34-45). Accordingly, the channel encoding is *completely dependent* on the source code mode, and as such does not teach the limitations recited in the present claims.

In light of the above, Applicants respectfully submit that independent claims 1-11 are in condition for allowance, which is respectfully requested. The Commissioner is authorized to charge and credit Deposit Account No. 02-1818 for any additional fees associated with the submission of this Response, including any time extension fees. Please reference docket number 112740-218.

Respectfully submitted,

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